

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF THE NEW
YORK TIMES COMPANY IN THE
MATTER OF UNITED STATES OF
AMERICA v. CHRISTOPHER WADE

No. 24 MC 45 (VSB)

HON. VERNON S. BRODERICK

DECLARATION OF DAVID MCCRAW
REGARDING SERVICE OF UNSEALING MOTION

I, David McCraw, hereby declare under penalty of perjury as follows:

1. I am Deputy General Counsel at The New York Times Company (“The Times”). I submit this declaration pursuant to the Court’s Orders of January 31, 2024 (Dkt. Nos. 3 and 4) regarding proof of service of The Times’s motion papers seeking the unsealing of judicial documents in *United States v. Christopher Wade*, No. 06-cr-594.
2. As set forth below, service was made by email on the U.S. Attorney’s Office and by Federal Express on Mr. Wade. Multiple attempts to serve Mr. Wade by personal delivery have not yet succeeded.
3. At 9:23 a.m. on February 2, 2024, I emailed copies of The Times’s notice of motion, memorandum of law, and the Declaration of David McCraw with exhibits (the “Initiating Papers”) to Assistant U.S. Attorney Sagar Ravi of the Southern District of New York.
4. At 9:52 a.m. on February 2, 2024, Mr. Ravi acknowledged receipt of the Initiating Papers.
5. Later that day, Assistant U.S. Attorney Jilan Janet Kamal entered an appearance in this action.

6. On February 2, 2024, I retained Brian Turner of ATA Process, LLC, 400 N. Ashley Drive, Suite 1900, Tampa, FL 33602, to effect personal service on Mr. Wade. I provided Mr. Turner with a copy of the Initiating Papers as well as the Court's Order directing service on Mr. Wade. I also included a cover letter (attached), which noted for Mr. Wade how to reach Your Honor by email pursuant to the Court's Order.

7. Because the docket is sealed, we do not have access to the identity of Mr. Wade's counsel or any other docketed information about Mr. Wade's possible whereabouts. Based on research we did online, we believe that he resides in the Boynton Beach, Florida area and has a company there.

8. A process server hired by Mr. Turner attempted on February 6, 2024, to serve the Initiating Papers, the Court's Order, and the cover letter (combined, the "Service Set") at an address that appeared to be Mr. Wade's business, but the company was no longer there.

9. Also, on February 6, 2024, to try to assure service, I sent the Service Set by Federal Express to an address we believed was Mr. Wade's residential address.

10. On the evening of February 6, 2024, the process server attempted to serve in person the Service Set at that same residential address, but the server reported that Mr. Wade was no longer at the address.

11. On February 8, 2024, Mr. Turner said that he had located an address that appeared to be Mr. Wade's new residence. The process server attempted to serve the Service Set at that address but so far has been unsuccessful.

12. On February 9, 2024, Federal Express informed me that Mr. Wade or someone speaking on his behalf told the Federal Express deliverer that the Service Set should be left at a Federal

Express location for pickup. Federal Express further informed me that the Service Set had been left at a Walgreens in Delray Beach, Florida.

13. At 12:45 p.m. on February 9, 2024, the Service Set was picked up, according to Federal Express. The proof of delivery is attached hereto.

Dated: February 9, 2024

Respectfully submitted,

/s/
David McCraw
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February 2, 2024

Mr. Christopher Wade
16 E. Ocean Avenue
Ocean Ridge, FL 33435

Dear Mr. Wade:

Judge Vernon S. Broderick of the Southern District of New York has directed me to serve you with the enclosed papers regarding a motion by The New York Times Company to unseal the documents in your criminal case, No. 06-cr-594. The judge's order is included and provides an email address for contacting his chambers.

Sincerely,

David McCraw

David E. McCraw

enclosures



February 09, 2024

Dear Customer,

The following is the proof-of-delivery for tracking number: 270679083650

Delivery Information:

Status:	Delivered	Delivered To:	FedEx Location
Signed for by:	W.ATTERS OWEN RICHARD	Delivery Location:	
Service type:	FedEx 2Day		
Special Handling:	Hold at Location; No Signature Required		DELRAY BEACH, FL,
		Delivery date:	Feb 9, 2024 12:45

Shipping Information:

Tracking number:	270679083650	Ship Date:	Feb 6, 2024
		Weight:	0.5 LB/0.23 KG
Recipient:		Shipper:	
Boynton Beach, FL, US,		Mount Vernon, NY, US,	

FedEx Express proof-of-delivery details appear below; however, no signature is currently available for this shipment. Please check again later for a signature.